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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David C. Gelvin et al. Examiner: AVELLINO, Joseph E.  
Serial No. 09/684,706 Group Art Unit: 2143  
Filed: October 4, 2000 Docket No. 78700-020108  
Title: APPARATUS FOR INTERNETWORKED WIRELESS INTEGRATED  
NETWORK SENSORS (WINS)

Customer No.: 33717

CERTIFICATE UNDER 37 CFR 1.6(d)

I hereby certify that this correspondence and identified enclosures are being transmitted via facsimile only to Examiner Joseph E. Avellino, Art Unit 2143, Facsimile No. (571) 273-8300 on September 26, 2006.

  
Name: Melissa L. LoriaTERMINAL DISCLAIMER

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

The owner, Borgia/Cummins, LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior United States Patent Number 6,735,630, as such term is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The owner, Borgia/Cummins, LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/684,742, filed on October 4, 2000, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The Commissioner is hereby authorized to charge the \$130.00 statutory disclaimer fee under 37 CFR 1.20(d) and any additional fees in connection with the submission of this paper, now or in the future, or credit any overpayment to Account No. 15-0184. Please ensure that the

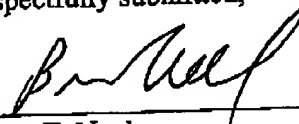
Serial No. 09/684,706

PATENT  
Docket No. 78700-020108

Attorney Docket Number 78700-020108 is referenced when charging any payments or credits in connection with this application.

The undersigned is an attorney or agent of record.

Respectfully submitted,



Bruce T. Neel  
Reg. No. 37,406

Date: September 26, 2006

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